

AKIN GUMP STRAUSS HAUER & FELD
LLP

Yitai Hu (SBN 248085)
Steven D. Hemminger (SBN 110665)
Sean DeBruine (SBN 168071)
Sang Hui Michael Kim (SBN 203491)
Two Palo Alto Square
3000 El Camino Real, Suite 400
Palo Alto, CA 94306-2122
Telephone: 650.838.2000
Facsimile: 650.838.2001
yhu@akingump.com
shemminger@akingump.com
sdebruine@akingump.com
mkim@akingump.com

Attorneys for Plaintiff and Counterdefendant
EPISTAR CORPORATION

MORGAN, LEWIS & BOCKIUS LLP

Michael J. Lyons (SBN 202284)
Andrew J. Wu (SBN 21442)
Two Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306-2122
Telephone: 650.843.4000
Facsimile: 650.843.4001
mylons@morganlewis.com
awu@morganlewis.com

MORGAN, LEWIS & BOCKIUS LLP

Daniel Johnson, Jr. (SBN 57409)
Amy M. Spicer (SBN 188399)
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Telephone: 415.442.1000
Facsimile: 415.442.1001
djjohnson@morganlewis.com
aspicer@morganlewis.com

Attorneys for Defendant and Counterclaimant
PHILIPS LUMILEDS LIGHTING
COMPANY, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPISTAR CORPORATION,

Plaintiff,

v.

PHILIPS LUMILEDS LIGHTING
COMPANY, LLC,

Defendant.

AND RELATED COUNTERCLAIMS

Case No. C 07-05194 CW

C 05-4521 CW

**JOINT MOTION, STIPULATION AND
ORDER TO EXTEND TIME FOR EPISTAR
CORPORATION TO RESPOND TO
PHILIPS LUMILEDS LIGHTING
COMPANY, LLC'S MOTION FOR
JUDGMENT ON THE PLEADINGS AND
MOTION FOR SUMMARY JUDGMENT
AND TO CONTINUE THE JULY 10, 2008
HEARING AND CASE MANAGEMENT
CONFERENCE**

Pursuant to Civil Local Rules 6-2 and 7-12, Epistar Corporation (“Epistar”) and Philips Lumileds Lighting Company, LLC (“Lumileds”) (collectively, the “Parties”) hereby stipulate and jointly move the Court to change the briefing schedule and hearing date for Lumileds’ (1) Motion For Judgment On The Pleadings With Respect To Epistar Corporation’s First, Third, and Fourth Claims Regarding Unfair Competition And Tortious Interference, and (2) Motion For Summary Judgment On Epistar Corporation’s Claim For Breach of Contract (the “Lumileds Motions”), and to continue the case management conference also set for the same date.

JOINT MOTION AND STIPULATION

WHEREAS, this Court’s May 8, 2008 Minute Order and Case Management Order scheduled Lumileds’ Motion for Judgment on the Pleadings to heard on July 10, 2008;

WHEREAS, on June 5, 2008, Lumileds filed the Lumileds Motions and noticed a hearing date before the Court for July 10, 2008;

WHEREAS, Epistar’s deadline for its opposition to the Lumileds Motions under Civil L.R. 7-3 is June 19, 2008, “not less than 21 days before the hearing date”;

WHEREAS, Epistar’s counsel has requested additional time to confer and prepare declarations in opposition to Lumileds’ Motions and, as an accommodation to Epistar, Lumileds has agreed to join in this stipulation and joint motion;

WHEREAS, the Parties, acting through their counsel, have met and conferred regarding Epistar’s request for an extension of time for Epistar to file its opposition to the Lumileds Motions;

WHEREAS, as a result of the change in the briefing schedules, the parties stipulate and jointly request that the hearing for Lumileds’ Motions be continued from July 10, 2008 to August 7, 2008;

WHEREAS, the Parties also stipulate and jointly request that the case management conference be continued from July 10, 2008 to August 7, 2008;

WHEREAS, the only previous modification of deadlines in this case was the 30 day extension given to Lumileds to respond to Epistar's Complaint and the 1 day extension given to Epistar to respond to Lumileds' Motion for Stay.

NOW THEREFORE,

The Parties, acting by and through their counsel of record, hereby jointly move the Court to re-schedule the hearing date for Lumileds' Motions and the further case management conference from July 10, 2008 to August 7, 2008. The Parties further stipulate that Epistar's oppositions to the Lumileds Motions shall be due on July 10, 2008 and Lumileds' replies shall be due on July 24, 2008.

Respectfully submitted on June 18, 2008,

/s/ Lenny Huang

Yitai Hu
Steven D. Hemminger
Sean P. DeBruine
Sang Hui Michael Kim
AKIN GUMP STRAUSS HAUSER & FELD
LLP
Two Palo Alto Square
3000 El Camino Real, Suite 400
Palo Alto, CA 94306-2122
Telephone: 650.838.2000
Facsimile: 650.838.2001
yhu@akingump.com
shemminger@akingump.com
sdebruine@akingump.com
mkim@akingump.com

Attorneys for Plaintiff and Counterdefendant
EPISTAR CORPORATION

/s/ Michael J. Lyons

Michael J. Lyons
Andrew J. Wu
MORGAN, LEWIS & BOCKIUS LLP
Two Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306-2122
Telephone: 650.843.4000
Facsimile: 650.843.4001
mylons@morganlewis.com
awu@morganlewis.com

MORGAN, LEWIS & BOCKIUS LLP
Daniel Johnson, Jr.
Amy M. Spicer
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Telephone: 415.442.1000
Facsimile: 415.442.1001
djjohnson@morganlewis.com
aspicer@morganlewis.com

Attorneys for Defendant and Counterclaimant
PHILIPS LUMILEDS LIGHTING
COMPANY, LLC

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Michael Lyons.

Dated: June 18, 2008

AKIN GUMP STRAUSS HAUER & FELD LLP

By: _____/s/

Lenny Huang (*Admitted Pro Hac Vice*)

Attorneys for Plaintiff and Counterdefendant
EPISTAR CORPORATION

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: June 24, 2008



HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE